

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Kirk Wagoner, on February 17, 2017 at 3:00 PM, in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Kirk Wagoner, Chair (R)
Rep. Jessica Karjala, Vice Chair (D)
Rep. Ellie Hill Smith (D)
Rep. Kathy Kelker (D)
Rep. Gordon Pierson Jr (D)
Rep. Matt Regier (R)
Rep. Vince Ricci (R)
Rep. Walt Sales (R)
Rep. Barry Usher (R)
Rep. Tom Welch (R)

Members Excused:

Rep. Dennis R. Lenz, Vice Chair (R)
Rep. Mary Ann Dunwell (D)
Rep. Bill Harris (R)
Rep. Tom Jacobson (D)
Rep. Forrest Mandeville (R)

Members Absent: None

Staff Present: Sue O'Connell, Legislative Branch
Carolyn Tschida, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 386, 2/08/2017; HB 389, 2/08/2017; SB 4, 2/09/2017; SB 62, 2/09/2017; SB 82, 2/09/2017
Executive Action: SB 62; SB 4; HB 35; HB 36; HB 142; HB 244; HB 293; HB 356; HB 362; HB 364

00:00:58 Vice Chair Lenz joined the meeting

HEARING ON HB 389

Opening Statement by Sponsor:

00:01:45 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 389, Generally revise tele-medicine laws for physicians.

00:03:11 Rep. Harris joined the meeting

00:03:53 Rep. Dunwell joined the meeting

00:05:39 Rep. Mandeville joined the meeting

Proponents' Testimony:

00:06:31 Dr. Carter Beck, Montana Medical Association (MMA)

00:10:24 Greg Dorrington, Montana Medical Association (MMA)

00:12:54 Dr. Jason Cohen, Montana Medical Association (MMA)

00:17:29 Dr. Abe Elias, Shodair Children's Hospital

00:19:47 Shaun Kalagher, Montana Medical Association (MMA)

00:21:36 Jack King, Montana Tele-health Alliance (MTA)

EXHIBIT(huh35a01)

00:23:14 Dr. Ernest Gray, Montana Medical Association (MMA)

00:24:21 Jean Branscum, Montana Medical Association (MMA)

EXHIBIT(huh35a02)

00:27:33 Pat Bollinger, Board of Medical Examiners

00:27:49 Nanette Gilbertson, Montana Academy of Ophthalmology

00:28:44 Casey Blumenthal, Montana Hospital Association (MHA)

00:28:54 Aimee Grmoljez, Billings Clinic

EXHIBIT(huh35a03)

00:29:13 Eve Franklin, Montana Ophthalmology Association

00:30:01 Shane Scanlon, Kalispell Regional Medical Center

00:30:14 Stacey Anderson, Montana Primary Care Association

Opponents' Testimony:

00:30:45 Robert Baratta, Teladoc

00:35:47 Meredith Oldroyd, 1-800-Contacts

EXHIBIT(huh35a04)

Informational Testimony: None

Questions from Committee Members and Responses:

00:39:29 Rep. Pierson

00:39:50 Jean Branscum, MMA

00:40:01 Rep. Pierson

00:40:25 Ian Marquand, Board of Medical Examiners

00:42:07 Rep. Pierson

00:42:26 Dr. Jason Cohen, MMA

00:43:17 Rep. Kelker
00:43:49 Dr. Carter Beck, MMA
00:47:44 Rep. Karjala
00:48:43 Rep. Wagoner
00:52:39 Rep. Karjala
00:53:21 Dr. Carter Beck, MMA
00:56:17 Rep. Karjala
00:56:30 Rep. Pierson
01:00:27 Dr. Carter Beck, MMA
01:00:55 Rep. Dunwell
01:01:54 Dr. Carter Beck, MMA
01:02:22 Rep. Wagoner
01:03:03 Rep. Dunwell
01:04:50 Rep. Wagoner
01:05:22 Rep. Usher
01:06:00 Rep. Wagoner
01:06:20 Rep. Pierson
01:06:50 Jean Branscum, MMA
01:07:18 Chair Lenz
01:07:44 Dr. Jason Cohen

Closing by Sponsor:

01:08:36 Rep. Wagoner

01:10:38 Recess

01:18:50 Reconvene

HEARING ON HB 386**Opening Statement by Sponsor:**

01:19:14 Rep. Ron Ehli (R), HD 86, opened the hearing on HB 386, Provide for practice of physical therapy through telehealth.

Proponents' Testimony:

01:20:46 Christian Appel, Montana Chapter of Physical Therapy Association

EXHIBIT(huh35a05)

01:23:20 Brian Miller, Board of PT Examiners

EXHIBIT(huh35a06)

01:24:56 Roman Henrickson, Self

01:26:25 Shane Scanlon, Kalispell Regional Medical Center

01:27:03 Bill Roberts, AARP

EXHIBIT(huh35a07)

01:28:35 Casey Blumenthal, Montana Hospital Association (MHA)

01:29:25 Aimee Grmoljez, Billings Clinic

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:30:28 Rep. Ehli

HEARING ON SB 62

Opening Statement by Sponsor:

01:31:26 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 62, Certification for behavioral health peer support specialists.

EXHIBIT(huh35a08)

Proponents' Testimony:

01:35:00 Jim Hajny, Montana Peer Network

EXHIBIT(huh35a09)

01:37:42 Matt Furlong, Montana Peer Network

EXHIBIT(huh35a10)

01:38:59 Michelle Lewis, Peer Support Provider

01:42:11 Robin Barrett-Lanier, Winds of Change

01:44:24 Jedd Schapley, Mental Health Center (MHC)

01:47:13 Saraphina Gordon, Self

01:49:36 Abigail St. Lawrence, Montana Association of Marriage and Family Therapists (MAMFT)

01:50:30 William Deavel, Western Montana Mental Health (WMMHC)

01:51:56 James Hamm, Self

01:52:37 Alicia Smith, NAMI

01:54:41 Terry Ball, NAMI

01:56:40 Matt Kuntz, NAMI

01:57:52 Kathy McGowan, Community Mental Health Centers (MTCMHC)

01:58:29 Stacey Anderson, Montana Primary Care Association

01:59:25 Erin McGowan, Montana Community Corrections Association

02:00:02 Adrian Slaughter, Department of Corrections (DOC)

02:00:35 Glenn Oppel, Council of State Governments (CSG)

EXHIBIT(huh35a11)

02:01:14 Lauren Pope, Winds of Change

02:02:33 Rhonda Hallford, Self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:03:45 Rep. Pierson

02:04:06 Lauren Pope, Winds of Change

Closing by Sponsor:

02:04:35 Rep. Wolken

02:05:24 Recess

02:12:26 Reconvene

EXECUTIVE ACTION ON SB 62

02:12:40 **Motion:** Rep. Lenz moved that **SB 62 BE CONCURRED IN.**

02:12:49 **Motion:** Rep. Lenz moved that **SB 62 BE AMENDED.**

[EXHIBIT](#)(huh35a12)

02:13:02 Sue O'Connell, Legislative Services Division (LSD)

02:13:34 **Vote:** Motion carried unanimously by voice vote. Rep. Jacobson, Rep. M. Regier and Rep. Usher voted by proxy.

02:14:12 **Motion:** Rep. Lenz moved that **SB 62 BE CONCURRED IN AS AMENDED.**

Discussion:

02:14:26 Rep. Karjala

02:14:36 **Vote:** Motion carried unanimously by voice vote. Rep. Jacobson, Rep. M. Regier and Rep. Usher voted by proxy. Rep. Welch will carry the bill.

HEARING ON SB 4

Opening Statement by Sponsor:

02:15:44 Sen. Diane Sands (D), SD 49, opened the hearing on SB 4, Eliminate certain DPHHS advisory councils and reports.

Proponents' Testimony:

02:17:30 Mary Dalton, Department of Public Health and Human Services (DPHHS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:18:04 Sen. Sands

02:18:24 Recess

02:21:33 Reconvene

EXECUTIVE ACTION ON SB 4

02:22:02 **Motion/Vote:** Rep. Lenz moved that **SB 4 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Jacobson, Rep. Kelker and Rep. M. Regier voted by proxy. Rep. Karjala will carry the bill.

HEARING ON SB 82

Opening Statement by Sponsor:

02:22:45 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 82, Generally revise laws on Medicaid overpayment audits.

Proponents' Testimony:

EXHIBIT(huh35a13)

02:24:22 Greg Gould, Montana Dental Association (MDA)
02:28:07 Bob Olson, Montana Hospital Association (MHA)
02:28:34 Stacey Anderson, Montana Primary Care Association
02:28:55 Greg Dorrington, Montana Medical Association (MMA)
02:29:11 Eve Franklin, Montana Ophthalmology Association
02:29:35 Sarah Corbally, Youth Homes
02:30:01 Shane Scanlon, Kalispell Regional Medical Center
02:30:36 Jim Ahrens, Montana Dental Association (MDA)

Opponents' Testimony: None

Informational Testimony:

03:31:50 Marie Matthews, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:32:01 Sen. Olszewski
02:32:05 Rep. Jacobson joined the meeting

02:32:17 Recess
02:42:09 Reconvene

EXECUTIVE ACTION ON HB 35

02:42:20 **Motion:** Rep. Lenz moved that **HB 35 DO PASS**.

02:42:25 Sue O'Connell, LSD

Discussion:

02:42:39 Rep. Pierson

02:42:55 **Vote:** Motion failed 6-9 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker and Rep. Pierson voting aye. Rep. M. Regier voted by proxy.

02:44:08 **Motion/Vote:** Rep. Lenz moved that **HB 35 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 36

02:44:25 **Motion:** Rep. Lenz moved that **HB 36 DO PASS**.
EXHIBIT(huh35a14)

02:44:30 Sue O'Connell, LSD

Discussion:

02:44:47 Rep. Pierson
02:45:33 Rep. Hill Smith
02:46:55 Rep. Karjala
02:47:15 Rep. Regier joined the meeting

02:48:00 **Vote:** Motion failed 6-9 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker and Rep. Pierson voting aye.

02:49:01 **Motion/Vote:** Rep. Lenz moved that **HB 36 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 142

02:49:17 **Motion:** Rep. Lenz moved that **HB 142 DO PASS**.

02:49:32 **Motion:** Rep. Lenz moved that **HB 142 BE AMENDED**.

Discussion:

02:50:15 Rep. Karjala
02:50:24 Rep. Wagoner
02:50:38 Rep. Dunwell

02:51:28 **Vote:** Motion carried unanimously by voice vote.

02:51:40 **Motion/Vote:** Rep. Lenz moved that **HB 142 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 244

02:52:04 **Motion:** Rep. Lenz moved that **HB 244 DO PASS**.

02:52:13 Sue O'Connell, LSD

Discussion:

02:52:30 Rep. Jacobson

02:54:02 Rep. Mandeville

02:54:30 **Vote:** Motion carried 9-6 by voice vote with Rep. Harris, Rep. Lenz, Rep. Mandeville, Rep. M. Regier, Rep. Wagoner and Rep. Welch voting no.

EXECUTIVE ACTION ON HB 293

02:55:38 **Motion:** Rep. Lenz moved that **HB 293 DO PASS.**
EXHIBIT(huh35a15)

02:55:55 Sue O'Connell, LSD

Discussion:

02:56:02 Chair Wagoner

02:56:23 **Motion:** Rep. Lenz moved that **HB 293 BE AMENDED.**

02:56:35 Sue O'Connell, LSD

Discussion:

02:56:59 Rep. Kelker

02:59:20 Rep. Wagoner

02:59:43 **Vote:** Motion carried 10-5 by roll call vote with Rep. Harris, Rep. Lenz, Rep. Mandeville, Rep. W. Sales and Rep. Wagoner voting no.

03:00:51 **Motion:** Rep. Lenz moved that **HB 293 DO PASS AS AMENDED.**

Discussion:

03:01:00 Rep. Dunwell

03:01:34 Rep. Harris

03:03:16 Rep. Dunwell

03:04:11 Rep. Usher

03:05:10 Chair Wagoner

03:11:36 **Vote:** Motion failed 7-8 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker, Rep. Pierson and Rep. Welch voting aye.

03:06:58 **Motion/Vote:** Rep. Lenz moved that **HB 293 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 356

03:07:15 **Motion:** Rep. Lenz moved that **HB 356 DO PASS.**

03:07:21 Sue O'Connell, LSD

Discussion:

03:07:38 Rep. Karjala

03:08:32 Rep. Mandeville

03:09:06 Rep. Karjala
03:10:26 Rep. Usher
03:11:06 Rep. Dunwell

03:11:36 **Vote:** Motion failed 6-9 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker and Rep. Pierson voting aye.

03:12:29 **Motion/Vote:** Rep. Lenz moved that **HB 356 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 362

03:12:42 **Motion:** Rep. Lenz moved that **HB 362 DO PASS**.

03:12:49 Sue O'Connell, LSD

03:13:05 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 364

03:13:42 **Motion:** Rep. Lenz moved that **HB 364 DO PASS**.

03:14:04 **Motion:** Rep. Lenz moved that **HB 364 BE AMENDED**.
[EXHIBIT\(huh35a16\)](#)

03:14:18 Sue O'Connell, LSD

Discussion:

03:14:42 Rep. Usher

03:15:55 **Vote:** Motion carried 11-4 by roll call vote with Rep. Dunwell, Rep. Karjala, Rep. Mandeville and Rep. Wagoner voting no.

03:16:54 **Motion:** Rep. Lenz moved that **HB 364 DO PASS AS AMENDED**.

Discussion:

03:17:04 Rep. Karjala
03:17:50 Rep. Ricci
03:18:12 Rep. Jacobson
03:18:45 Rep. Usher

03:21:47 **Vote:** Motion carried 8-7 by roll call vote with Rep. Dunwell, Rep. Harris, Rep. Karjala, Rep. Mandeville, Rep. Ricci, Rep. Wagoner and Rep. Welch voting no.

ADJOURNMENT

Adjournment: 03:23:24

Carolyn Tschida, Secretary

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Additional Documents:

EXHIBIT([huh35aad.pdf](#))